HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: **HON'BLE SHRI JAGDISH BHALLA, Ag. CJ. &**
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.

Writ Appeal No. 117 of 2007

APPELLANT PETITIONER : Padum Das, S/o Mahang Das, aged about 32 years, R/o Village Murkuta, Tah. Bilha, District Bilaspur (C.G.)

VERSUS

RESPONDENTS :

1. Board of Revenue, Chhattisgarh Through its Member Judge, Bilaspur.
2. Additional Collector, Bilaspur (C.G.)
3. Sub Divisional Officer, Bilaspur District Bilaspur (C.G.)
4. Tahsildar, Bilha District Bilaspur (C.G.).
5. Santan Das, S/o Pillu Das, aged about 32 years, R/o Village Churaghat Tah. Bilha District Bilaspur (C.G.)

Writ Appeal under Section 2 Sub-Section (1) of Chhattisgarh High Court (Appeal to Division Bench) Act, 2006

Present : Shri Indrasen Sahu, counsel for the appellant.
Shri Goutham Khetrapal, counsel for respondent No.5.

ORAL ORDER
(Passed on 28th June, 2007)

The following oral order of the Court was passed by **Jagdish Bhalla, Ag. C.J.**

The appellant's writ petition has been allowed by the Hon'ble Single Judge, however, he has come in this writ appeal *inter alia* praying that judgment dated 23-04-2007 passed by Hon'ble Single Judge in W.P. No. 4285/2004 so far as it relates to direction of appointment of Kotwar in the interest of justice be ~~quashed~~ set-aside.

We have heard counsel for the parties and perused the judgment in question. We do not find that any such direction of appointment of Kotwar has been issued by Hon'ble Single Judge. We go a step further in the

interest of justice that no post shall remain vacant. Time and again Hon'ble Apex Court has heavily come down on various Governments for *ad hocism* and in not filling the vacancies permanently. In the light of the above, we do not find any ground for interference with the judgment passed by Hon'ble Single Judge. Accordingly, the writ appeal is dismissed.

Acting Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge